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In re Application of
Vaez-Iravani et al.
US Application No.: 10/070,079
PCT Application No.: PCT/US98/19564
International Filing Date: 18 September 1998
Priority Date: 19 September 1997
Attorney's Docket No.: M-10670-5P US
For: IMPROVED SAMPLE INSPECTION
SYSTEM

**DECISION ON
PETITION FOR REVIVAL
UNDER 37 CFR 1.137(b)**

The petition to revive under 37 CFR 1.137(b), filed on 01 March 2002 in the above-captioned application, is hereby **GRANTED** as follows.

On 18 September 1998, Applicants filed international application PCT/US98/19564, which claimed priority of an earlier U.S. application filed on 19 September 1997. A demand for international preliminary examination, in which the United States was elected, was filed on 24 March 1999, prior to 19 April 1999, the end of the 19-month period from the 19 September 1997 priority date. The period for paying the basic national fee is thus 30 months and ended at midnight on 19 March 2000.

The basic national fee was not paid on or before 20 March 2000 (Monday). The international application became abandoned as to the United States on 20 March 2000.

The instant petition encloses, *inter alia*:

- (1) A transmittal letter for entry into the national stage in the United States (Form PTO-1390), authorizing the USPTO to charge the \$710 basic national fee required by 35 U.S.C. 371(c)(1) and 37 CFR 1.492(a)(1) to Deposit Account No. 19-2386;
- (2) An authorization to charge the \$1,280 petition fee to the above deposit account;
- (3) A statement to the effect that the entire delay in filing the basic national fee from its due date until the filing of the instant petition under 37 CFR 1.137(b) was unintentional.

Moreover, a terminal disclaimer is not applicable in the instant case.

In view of the above, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the national stage in the United States of America.

Applicants' claim for priority is acknowledged. The application has an international filing date of 18 September 1998 under 35 U.S.C. 363.

The application is being returned to the National Stage Processing Division of the Office of PCT Operations for continued processing, including mailing of a Notification of Missing Requirements under 35 U.S.C. 371, requiring an oath or declaration in compliance with 37 CFR 1.497(a)-(b).



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